REMARKS

This is in response to the Office Action mailed 04/17/2009 and further in view of the Examiner Interview of 06/18/2009. This response should obviate outstanding issues and make the remaining claims allowable. Reconsideration of this application is respectfully requested in view of this response.

STATUS OF CLAIMS

Claims 1-6, 8-16, and 18-31 are pending.

Claims 1, 2, 6, 8-13, 16, 18-20, 24 and 25 stand rejected under 35 USC §103(a) as being unpatentable over Benson et al. (U.S. Published Application 2003/0200212) in view of Cotner et al. (U.S. Patent 5,884,327).

Claims 3-4, 14, 21, 22, 26, 27 and 29-31 stand rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner and further in view of Freund et al. (U.S. Patent 5,923,833).

Claims 5, 15 and 23 stand rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner and further in view of Hoffman et al. (U.S. Patent 5,261,102).

Claim 28 stands rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner, further in view of Freund, and further in view of Hoffman.

REJECTIONS UNDER 35 USC §103(a)

Claims 1, 2, 6, 8-13, 16, 18-20, 24 and 25 stand rejected under 35 USC §103(a) as being unpatentable over Benson et al. (U.S. Published Application 2003/0200212) , hereafter "Benson," in view of Cotner et al. (U.S. Patent 5,884,327) , hereafter "Cotner." Claims 3-4, 14,

21, 22, 26, 27 and 29-31 stand rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner and further in view of Freund et al. (U.S. Patent 5,923,833), hereafter "Freund." Claims 5, 15 and 23 stand rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner and further in view of Hoffman et al. (U.S. Patent 5,261,102), hereafter "Hoffman." Claim 28 stands rejected under 35 USC §103(a) as being unpatentable over Benson in view of Cotner, further in view of Freund, and further in view of Hoffman. The rejections with regards to claims 26 through 31 are considered moot in light of their cancelation via the current amendment.

To be properly rejected under 35 U.S.C. § 103(a), the cited references have to provide for each and every element of the rejected claims. Applicants respectfully submit that the various combinations of the Benson, Cotner, Freund, and Hoffman fail to teach or suggest many of the features of the rejected claims.

A computer-based method implementing a robust XA 2-phase commit protocol between a client and a server via a relational table and software facilitating communications with said client and said server, said relational table storing a list of potentially indoubt units of work, said method comprising the steps of: receiving an invocation from said client for a first phase of commit for a transaction representing a unit of work; inserting an entry in said relational table corresponding to said unit of work and transmitting an instruction to said server to prepare to commit for said transaction, said inserted entry indicating said unit of work is potentially an indoubt entry, said relational table stored in said server; minimizing cost by placing a request for said insertion of entry in said relational table on a network message that includes said instruction

to said server to prepare to commit as part of said XA 2-phase commit protocol for said transaction; receiving a request from said client to perform any of the following decisions: a COMMIT, a ROLLBACK, or a RECOVER, and updating said relational table after execution of said request. The corresponding article of manufacture claim 12 also teaches an article of manufacture having computer readable storage medium having computer readable program code implementing the method of claim 1.

In the Response to Arguments section on page 16 of the Final Office Action of 04/17/2009, the Examiner objects to the way the current claims recite the feature of minimization of cost. Specifically, the Examiner states that this feature is not given patentable weight as it is recited as an "intended use" and is "optionally recited". Therefore, as a point of clarification, the independent claims have been rewritten to actively recite this feature. Specifically, the pending independent claims have been amended to specifically recite the feature of **minimizing cost by placing a request for said insertion of entry in said relational table on a network message that includes said instruction to said server to prepare to commit**. As mentioned during the interview of 06/18/2009, the art of record fails to teach for such a feature.

Also, during the interview of 06/18/2009, Applicants clarified to the Examiner that paragraphs **[0022]** and **[0023]** of Benson merely mentions the interactions of the client, the library server, and the resource server, wherein such interactions result in the storage of an item. Specifically, it was pointed out that paragraph **[0022]** of Benson teaches the use of tracking tables that are used to indicate when a problem has occurred during such storage, and paragraph **[0023]** of Benson et al. continues the discussion regarding the storage of objects and further

expands on the success and failure messages associated with either a successful or unsuccessful updating/deleting of an entry in the tracking table. It was pointed out during the same interview that paragraphs [0022] and [0023] fail to provide a teaching or suggestion for the feature of placing a request for insertion of a potentially indoubt entry in a relational database along with the instruction to prepare to commit a transaction.

In response to this argument, the Examiner during the same interview suggested that an amendment clarifying that the prepare-to-commit is part of said XA 2-phase commit protocol. Accordingly, for clarification, Applicants have amended the claims to recite the feature of minimizing cost by placing a request for said insertion of entry in said relational table on a network message that includes said instruction to said server to prepare to commit as part of said XA 2-phase commit protocol for said transaction

Applicants also wish to note on the record that other cited references also fail to teach or suggest such a feature. Applicants, therefore, respectfully submit that the combination of Benson et al. and Cotner et al. fail to teach all features of independent claims 1 and 12.

Applicants independent claim 18 has been amended to similarly clarify and recite the features of minimizing cost by placing a request for an SQL INSERT instruction on a network message that includes an instruction to said database cluster to prepare to commit as part of said XA 2-phase commit protocol for said transaction and inserting, via said SQL INSERT instruction, an indoubt entry in said SQL table corresponding to said unit of work and transmitting said prepare to commit instruction to said database cluster. Therefore, the

arguments presented above substantially apply to independent claim 18. Therefore, at least for the reasons presented above, Applicants respectfully submit that the combination of Benson et al. and Cotner et al. fail to teach all features of independent claims 18.

The arguments presented above with regards to independent claims 1, 12, and 18 substantially apply to pending dependent claims 2-6, 8-11, 13-16, and 19-25 as they inherit all the features of the claim from which they depend. Therefore, at least for these reasons, the Examiner is respectfully requested to withdraw the 35 U.S.C. §103(a) rejections with regards to dependent claims 2-6, 8-11, 13-16, and 19-25.

SUMMARY

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of Applicants' presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this response is timely filed, no fee for an extension of time should be required. The Commissioner is hereby authorized to charge any deficiencies in the fees provided, or credit any overpayment, to Deposit Account No. 09-0460.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact Applicants' representative at the below number.

Respectfully submitted,

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